



Implementation Of Village Consultative Body Election Based On East Lampung Regent Regulation Number 08 Of 2016

Article	Abstract
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INTRODUCTION

One form of traditional governance that continues to be recognized within Indonesia's legal framework is the clan-based or marga system(Tambunan, 2023). The marga system manages the succession of local authorities in accordance with established traditions while being integrated into the national legal system under Law Number 6 of 2014 concerning Villages(Fadhila, 2023). It organizes public institutions with defined authorities, rights, and responsibilities while maintaining traditional norms recognized by the community. This approach provides legal certainty and legitimacy for governance at the village level, bridging customary practices with formal state regulations(Singh & Kumar, 2022)

In modern village administration, the village head plays a central role in development and governance(Aulia & Rosyada, 2024). Together with village officials and the Village Consultative Body (Badan Permusyawaratan Desa/BPD), the village head ensures that development programs are participatory, transparent, and in line with village planning(Hidayat, 2023). Government Regulation Number 43 of 2014 and Law Number 6 of 2014 emphasize the joint responsibility of the village head and officials in drafting

and implementing Village Regulations (Peraturan Desa/Perdes), ensuring that local governance reflects community needs and priorities.(Indriasih Dewi, 2022)

The BPD serves a critical function in village governance, particularly in oversight, consultation, and facilitating community participation(Fahrudin & Trisnawiana, 2023). As a democratically elected representative body, the BPD ensures transparency and accountability in decision-making processes(Damanik, 2024). Its role is not only to mediate between the village government and residents but also to encourage active citizen participation in development, foster a culture of local democracy, and strengthen communal ownership and shared responsibility for the progress of the village(Handayani et al., 2023).

In East Lampung Regency, the legal framework clearly defines BPD membership through regional regulations, establishing a minimum of five and a maximum of nine family representatives while considering gender representation, community diversity, and social equity. In Gantimulyo Village, the BPD election follows East Lampung Regent Regulation Number 08 of 2016. The process involves surveys, candidate nominations by village officials, and community engagement to ensure fair representation across families and social groups.

Despite these mechanisms, research in Gantimulyo Village revealed a lack of female representation in the BPD. Most women in the village were unfamiliar with the functions of the BPD and were not actively involved in the candidate nomination or selection processes. The village head noted that this limited participation reflects a broader issue of low awareness among women regarding local governance and democratic processes, which affects the inclusivity of BPD representation.

This study focuses on examining the implementation of the BPD election in Gantimulyo Village, Pekalongan District, East Lampung Regency, based on East Lampung Regent Regulation Number 08 of 2016. The research analyzes the procedural mechanisms, the level of community participation, and the challenges in ensuring fair and inclusive representation in village governance. By doing so, the study highlights both the achievements and limitations of local democratic practices in village-level administration.

RESEARCH METHODS

This study employs a combination of normative juridical and empirical socio-legal research methods to comprehensively examine the implementation of the Village Consultative Body (BPD) election in Gantimulyo Village, Pekalongan District, East Lampung Regency. The normative juridical aspect involves analyzing relevant legal materials, including primary legal sources such as Law Number 6 of 2014 concerning Villages, Government Regulation Number 43 of 2014, and East Lampung Regent Regulation Number 08 of 2016, as well as secondary sources consisting of books, journal articles, and previous research studies related to village governance and BPD functions. The empirical socio-legal component is conducted in Gantimulyo Village, with informants including the Village Head, BPD members, village officials, and selected community members, while respondents are residents who participated in the BPD election process. Data collection techniques involve document analysis, in-depth interviews, and field observations to capture both procedural implementation and community participation(Khoa et al., 2023). The collected data are analyzed qualitatively using content and thematic analysis to identify patterns, challenges, and compliance with the regulatory framework(Li et al., 2024). By integrating normative and empirical

approaches, this study aims to provide a holistic understanding of the legal, administrative, and social dimensions of BPD election implementation and the obstacles that affect fair and inclusive representation at the village level.

RESULTS AND DISCUSSION

1. Implementation of the Village Consultative Body (BPD) Election in Gantimulyo Village

The process of forming the Village Consultative Body (Badan Permusyawaratan Desa/BPD) of Gantimulyo Village is regulated in accordance with the provisions of Law Number 6 of 2014 concerning Villages, which includes the following stages:

a. Village Deliberation (Musyawarah Desa)

Regarding the village deliberation, Mr. Heri Sumantri, as the Head of Gantimulyo Village, stated that the process of electing the Village Consultative Body (BPD) in his village was carried out with great caution and strictly adhered to the principle of deliberation and consensus, as stipulated in the prevailing laws and regulations. As the village head, he facilitated the deliberation process by upholding the principles of openness and democracy. During the village deliberation, every opinion and proposal from village residents was heard and carefully considered. The village meeting aimed to discuss preparations for the BPD election, during which various essential matters related to the election such as the number of BPD members to be elected, candidate requirements, and the election schedule were collectively agreed upon.

b. Formation of the BPD Election Committee

According to Mr. Heri Sumantri, the formation of the Election Committee for BPD members began with a meeting involving community leaders, religious leaders, and other relevant stakeholders to ensure a representative committee with high integrity. The Election Committee consisted of key elements, including community leaders, religious figures, and representatives of the village government. Its primary task was to organize and implement all stages of the BPD election process, starting from candidate registration and the preparation of the candidate list to the conduct of voting.

In the context of its responsibilities, Mr. Heri Sumantri explained that the Election Committee was entrusted with managing the smooth implementation of the entire election process, from the registration of prospective candidates to the voting process and the announcement of election results. In addition, the committee was obligated to resolve any issues or disputes arising during the election by adhering to the principles of transparency, fairness, and democracy. The committee was also responsible for ensuring that any potential disputes during the election process were properly addressed.

c. Nomination of BPD Member Candidates

In the process of nominating candidates for the Village Consultative Body (BPD) in Gantimulyo Village, Mr. Heri Sumantri explained that the activity was conducted through several systematic stages. The first stage involved socialization to village residents regarding the importance of the BPD's role in village development and governance. This socialization aimed to raise public awareness and encourage eligible residents to register as BPD candidates.

The main eligibility criteria included being a resident of Gantimulyo Village and possessing valid legal identification. Candidates were also required to demonstrate high integrity and a deep understanding of the duties and functions of the BPD. Subsequently, prospective BPD members underwent a selection process that included an assessment of their track record and competencies by a designated selection committee. The number of BPD members elected in each term may vary depending on village needs and community commitment; however, it generally ranges from seven to nine members. In the most recent election held in 2023, nine BPD members were elected from a total of twelve candidates, reflecting the dynamics and adaptability of the selection process in accordance with community aspirations.

Mr. Heri Sumantri further explained that the requirements for BPD candidates in Gantimulyo Village are clearly stipulated in East Lampung Regional Regulation Number 8 of 2016. First, candidates must uphold and practice Pancasila and implement the 1945 Constitution of the Republic of Indonesia. Second, candidates must not concurrently hold a position as a village official to avoid conflicts of interest. Third, candidates must have completed at least a senior secondary school education or its equivalent to ensure adequate knowledge and capacity. Fourth, candidates must be willing to be nominated as BPD members, demonstrating their commitment to actively participate in village development. Fifth, candidates must be at least 20 years old or have been married, indicating sufficient maturity to carry out their responsibilities. Sixth, candidates must have faith in and devotion to Almighty God, reflecting moral responsibility and adherence to the principle of Belief in the One and Only God. Seventh, candidates must be democratically elected representatives of the village population to ensure fair representation in accordance with the will of the people. Eighth, candidates must be physically and mentally healthy to perform their duties effectively. Ninth, candidates must possess good moral conduct as a fundamental ethical requirement, demonstrating integrity and proper behavior. Lastly, candidates must not have been sentenced to imprisonment for a minimum of five years based on a final and binding court decision, in order to ensure that BPD members have a clean legal record. Mr. Heri Sumantri emphasized that the selection process of BPD members is conducted transparently and in full compliance with the applicable regulations.

d. Election Process

In the context of the election of the Village Consultative Body (BPD) in Gantimulyo Village, Mr. Heri Sumantri, as the Village Head, explained that the election of BPD members was conducted using a representative deliberation system. This system involves representatives from each area of the village participating in the election process. Each area sends its representatives, who are previously selected by the residents of that area. The representative deliberation is led by the Election Committee specially established by the village. The committee's main responsibility is to regulate the deliberation process and ensure that all election procedures are carried out in accordance with applicable regulations. During the deliberation, each representative has the right to vote for BPD candidates considered the most competent and representative. The election is conducted through a voting process to determine the BPD members who will represent the village.

Mr. Suroyo, the Head of Hamlet II of Gantimulyo Village, further explained the election mechanism for BPD members within the framework of representative

deliberation. According to him, each hamlet in Gantimulyo Village plays a crucial role by sending its representatives to vote for BPD candidates deemed most capable of representing the interests of their respective hamlets. He emphasized that each hamlet has equal voting rights in this process, providing equal opportunities to determine who will become BPD members. This demonstrates that decisions regarding representation in the BPD are made democratically and fairly, ensuring that each hamlet contributes equally to the election process.

In conclusion, the formation and election of the Village Consultative Body (BPD) in Gantimulyo Village are carried out through a structured, transparent, and democratic process in accordance with Law Number 6 of 2014 and East Lampung Regional Regulation Number 8 of 2016. The process begins with village deliberation based on consensus, followed by the establishment of an election committee involving community and religious leaders, the systematic nomination and selection of candidates based on clearly defined legal, moral, and administrative requirements, and culminates in a representative deliberation-based election system in which each hamlet has equal voting rights. Overall, this mechanism reflects the principles of participation, fairness, and accountability, ensuring that elected BPD members genuinely represent community aspirations and are capable of carrying out their functions effectively in village governance and development.

2. Constraints in the Election of Members of the Village Consultative Body (BPD) of Gantimulyo Village

One of the main challenges encountered in the implementation of the election of members of the Village Consultative Body (Badan Permusyawaratan Desa/BPD) of Gantimulyo Village is the absence of women elected as BPD members. Based on an interview with Mr. Heri Sumantri, the Head of Gantimulyo Village, the lack of female representation in the village's BPD structure is a complex issue. He explained that although efforts had been made to facilitate women's participation in the election process, the outcomes did not meet expectations. One of the primary factors identified was the low level of interest and participation among women in nominating themselves as BPD candidates. Many women felt that they lacked sufficient capacity or were not adequately prepared to assume such roles, which led to their reluctance to become actively involved in the election process.

Mr. Heri further noted that cultural and social barriers significantly influence women's participation. In Gantimulyo Village, traditional perceptions remain prevalent, viewing women's roles as primarily confined to the domestic sphere rather than the public or political domain. This perception has resulted in limited encouragement from the surrounding environment for women to participate in village governance structures. He emphasized that although policies supporting women's representation exist, their implementation is often hindered by deeply rooted social norms.

In this regard, Mr. Heri acknowledged the importance of involving women in the BPD structure to ensure more equitable and inclusive representation. He stressed that diversity within the BPD can contribute broader perspectives and lead to better decision-making that benefits the entire community. However, achieving this goal requires concrete measures to motivate and support female candidates, including socialization and empowerment programs aimed at enhancing women's confidence and capacity to participate effectively in the election process.

Furthermore, Mr. Heri proposed several potential solutions to address this issue, particularly by strengthening socialization and educational efforts regarding the importance of women's representation in village governance. He expressed the hope that through such initiatives, more women in the future would be encouraged to nominate themselves and actively engage in decision-making at the village level.

Similarly, Mr. Suroyo, the Head of Hamlet II of Gantimulyo Village, explained that although there have been female candidates who met the eligibility requirements and were qualified to be elected as BPD members, they often failed to receive sufficient support from the community. This lack of support is closely related to village traditions and cultural values that tend to position women primarily in domestic roles. Such cultural perceptions influence community views on women's capacity and legitimacy in political decision-making at the village level.

In addition, Mr. Suroyo highlighted the presence of administrative obstacles that further impede women's representation. During the nomination process, female candidates often face difficulties in fulfilling the established administrative requirements. These challenges include limited access to information regarding the election process and the necessary qualifications, which ultimately contributes to the low number of women actively participating as candidates in the BPD election.

In conclusion, the absence of female representation in the Village Consultative Body of Gantimulyo Village stems from a combination of low political participation among women, persistent cultural and social norms, and administrative barriers. Although regulatory frameworks support women's involvement in village governance, their practical implementation remains ineffective without strong community support and targeted empowerment initiatives. Therefore, enhancing women's representation in the BPD requires not only formal legal provisions but also sustained efforts in education, socialization, and capacity-building to foster an inclusive, democratic, and representative village governance system.

3. Analysis of the Election of Members of the Village Consultative Body (BPD) of Gantimulyo Village Based on East Lampung Regent Regulation Number 08 of 2016

The process of electing the Village Consultative Body (Badan Permusyawaratan Desa/BPD) in Gantimulyo Village involves several important stages aimed at ensuring a transparent, fair, and democratic election. The first stage is the Village Deliberation (Musyawarah Desa), which is conducted based on the principle of deliberation and consensus. This deliberation is closely supervised by the Village Head and carried out in an open and participatory manner, accommodating the opinions and proposals of village residents. The preparatory meeting involves the entire village community and includes the formation of an election committee responsible for organizing the BPD election.

The second stage is the establishment of the Election Committee for BPD members, which is carried out through coordination meetings involving the village government, community leaders, and religious leaders. The committee is carefully selected to ensure fair representation and high integrity. It is responsible for managing the election process in a transparent, fair, and democratic manner, as well as resolving any disputes that may arise. Neutrality and strict compliance with applicable regulations are the main principles upheld by this committee.

Subsequently, the process of nominating BPD candidates follows a structured series of stages with active community participation. Socialization regarding the role and function of the BPD is conducted, and prospective candidates must meet various requirements, such as being a village resident with clear legal identity, possessing high integrity, demonstrating a commitment to public service, and having an adequate understanding of BPD duties. Candidate selection is carried out through assessments of track records and competencies, document verification, interviews, and evaluations of qualifications and commitment. In the most recent election in 2023, twelve candidates participated, from which nine BPD members were ultimately elected.

The requirements for BPD candidates are regulated under East Lampung Regional Regulation Number 8 of 2016, which includes aspects of religious devotion, commitment to state principles, a minimum age of 20 years, a minimum education level equivalent to junior high school, clear legal identity, permanent domicile within the village, and the absence of a criminal record. The election committee emphasizes the importance of maturity, education, identity, and permanent residency as key considerations in the selection process.

The final stage is the election of BPD members through a village representative deliberation system, whereby representatives from each village area previously selected by the community participate in the election. The election committee ensures that all procedures are properly followed and that each representative has the right to vote for candidates deemed most competent and representative. Each hamlet sends representatives with equal voting rights to select BPD members capable of representing their respective interests.

Overall, the findings indicate that the BPD election process in Gantimulyo Village is conducted democratically through a representative deliberation mechanism and is in compliance with East Lampung Regent Regulation Number 08 of 2016. The process adheres to established requirements concerning candidate qualifications, integrity, age, education, and domicile, and ensures that elections are conducted in accordance with the principles of transparency, fairness, and democracy. Thus, this study confirms that Gantimulyo Village has effectively implemented the provisions of the applicable regulations in the election of its BPD members.

The research findings regarding the BPD election process in Gantimulyo Village reflect the application of Lawrence M. Friedman's legal system theory, which emphasizes the interaction between legal structure, legal substance, and legal culture. The election process begins with an open and participatory Village Deliberation, involving formal legal structures such as the Village Head and the election committee, thereby illustrating the structural component of the legal system. The formation of the Election Committee, which includes the village government, community leaders, and religious figures, demonstrates the importance of integrity and neutrality in line with the substance of law, namely relevant norms and regulations. The candidate selection stage through assessments of track records and interviews shows compliance with substantive legal requirements stipulated in regional regulations, while the representative deliberation-based election reflects a legal culture that values participation and fairness. In accordance with Friedman's view that law must be understood within a broader social context, this study illustrates how legal structure, substance, and culture interact to ensure a fair and democratic election. The process not only complies with existing legal rules but also

adapts to the social and cultural values of the community, reinforcing Friedman's conception of law as a dynamic system.

The election process also reflects the application of public policy principles as articulated by Thomas R. Dye. The stages of the election from Village Deliberation, the formation of the Election Committee, candidate nomination, to the final election are designed to ensure transparency, fairness, and democratic participation. According to Dye, public policy consists of government actions or decisions intended to provide benefits to society and often involves negotiation and compromise among various interest groups. In Gantimulyo Village, each stage of the BPD election process incorporates community participation and adherence to regulatory requirements, reflecting transparency and justice while accommodating local political and social dynamics. The use of a representative deliberation system illustrates the implementation of institutional and group models of policy-making as described by Dye, emphasizing public participation and clearly defined criteria. Evaluation of the effectiveness and efficiency of this process aligns with Dye's theoretical framework, offering insights into how public policy can be implemented and improved for collective benefit.

Despite this, several obstacles were identified in the implementation of the BPD election in Gantimulyo Village, particularly the absence of women elected as BPD members. Although efforts were made to facilitate women's participation, the outcomes remained unsatisfactory. One of the main factors is the low level of interest and participation among women in nominating themselves as candidates. Many women perceive themselves as lacking sufficient capacity or readiness to assume leadership roles, leading to reluctance to engage actively in the election process.

Cultural and social barriers further hinder women's participation. In Gantimulyo Village, traditional views persist that position women primarily within the domestic sphere rather than the public or political arena. This results in limited encouragement for women to engage in village governance structures. Although policies supporting women's representation exist, their implementation is often constrained by deeply rooted social norms. Diversity within the BPD is essential to ensure fair and inclusive representation; however, concrete measures are needed to motivate and support female candidates.

Administrative obstacles also impede women's representation. Female candidates frequently encounter difficulties in meeting established administrative requirements due to limited access to information regarding election procedures and eligibility criteria. This lack of information contributes to the low number of women actively participating as candidates. In addition, persistent gender bias within the community affects voter decisions and candidate selection processes. Factors such as insufficient social and political support for female candidates and public skepticism regarding women's leadership abilities contribute to the low level of female representation within the BPD structure.

Referring again to Lawrence M. Friedman's legal system theory, these issues can be analyzed through the interaction of legal structure, legal substance, and legal culture. While the legal structure and substance such as regulations supporting women's representation are formally in place, their effectiveness is limited without a supportive legal culture. Cultural norms play a dominant role in shaping the acceptance and implementation of legal policies. As Friedman argues, law does not operate in isolation

but as part of a broader social system, where changes in one element, particularly legal culture, significantly influence others. Therefore, increasing women's representation in the BPD requires transformative changes in legal culture that actively encourage and normalize women's participation.

From the perspective of Thomas R. Dye's public policy theory, this issue reflects broader challenges in policy formulation and implementation aimed at serving the interests of all community members. Dye emphasizes that public policy must be approached holistically and involve multiple actors within the political process, while considering societal needs, problems, ideologies, and political priorities. The obstacles encountered in the BPD election demonstrate that despite supportive policies, implementation remains constrained by cultural, social, and administrative factors. Consequently, effective evaluation and continuous improvement of policy implementation are necessary to enhance women's representation and ensure more inclusive and equitable village governance in the future.

Based on the analysis of the election of members of the Village Consultative Body (BPD) in Gantimulyo Village under East Lampung Regent Regulation Number 08 of 2016, it can be concluded that the election process has generally been implemented in a structured, transparent, fair, and democratic manner. All stages ranging from Village Deliberation, the formation of the Election Committee, candidate nomination and selection, to the representative deliberation-based election have complied with the applicable legal provisions and reflected the principles of good governance. The process demonstrates effective interaction between legal structure, legal substance, and legal culture as articulated by Lawrence M. Friedman, as well as the application of public policy principles in line with Thomas R. Dye's theory, emphasizing participation, accountability, and institutional decision-making. However, despite procedural compliance and normative support for inclusivity, the election process still faces substantive challenges, particularly the absence of women's representation in the BPD. This limitation highlights the persistence of cultural, social, and administrative barriers that hinder effective policy implementation. Therefore, strengthening women's representation in village governance requires not only adequate legal frameworks but also sustained efforts to transform legal culture, enhance public awareness, improve access to information, and implement targeted capacity-building and empowerment programs, in order to realize a truly inclusive and representative democratic process at the village level.

CONCLUSION

The formation and election of the Village Consultative Body (BPD) in Gantimulyo Village are carried out through a structured, transparent, and democratic process in accordance with Law Number 6 of 2014 and East Lampung Regional Regulation Number 8 of 2016. The process begins with village deliberation based on consensus, followed by the establishment of an election committee involving community and religious leaders, the systematic nomination and selection of candidates based on clearly defined legal, moral, and administrative requirements, and culminates in a representative deliberation-based election system in which each hamlet has equal voting rights.

The absence of female representation in the Village Consultative Body of Gantimulyo Village stems from a combination of low political participation among women, persistent cultural and social norms, and administrative barriers. Although regulatory frameworks support women's involvement in village governance, their

practical implementation remains ineffective without strong community support and targeted empowerment initiatives. Therefore, enhancing women's representation in the BPD requires not only formal legal provisions but also sustained efforts in education, socialization, and capacity-building to foster an inclusive, democratic, and representative village governance system.

Based on the analysis of the election of members of the Village Consultative Body (BPD) in Gantimulyo Village under East Lampung Regent Regulation Number 08 of 2016, it can be concluded that the election process has generally been implemented in a structured, transparent, fair, and democratic manner. All stages ranging from Village Deliberation, the formation of the Election Committee, candidate nomination and selection, to the representative deliberation-based election have complied with the applicable legal provisions and reflected the principles of good governance. The process demonstrates effective interaction between legal structure, legal substance, and legal culture as articulated by Lawrence M. Friedman, as well as the application of public policy principles in line with Thomas R. Dye's theory, emphasizing participation, accountability, and institutional decision-making

The community and government should work together to strengthen inclusive participation in the BPD election process by encouraging equal involvement of men and women in village governance. The community needs to support women's participation, while the village and local governments should enhance socialization, provide capacity-building programs, and simplify administrative procedures to ensure a more representative and democratic BPD.

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